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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,827	01/26/2004	Philip Stephen Smith	PA0958.ap.US	6900

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EXAMINER	
HSU, RYAN	

ART UNIT	PAPER NUMBER
3714	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/764,827	SMITH ET AL.	
	Examiner	Art Unit	
	Ryan Hsu	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 July 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7/2/04, 11/12/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

In response to the preliminary amendments filed on 7/2/04, claims 26-40 have been added. Claims 1-40 are pending in the current application.

Claim Objections

Claims 23-25 recites the limitation "the device of claim 22" in the preamble of the claims. However, claim 22 with which these dependent claims rely upon do not reference "a device" but refers to that of "an automated gaming system. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear with regard to the limitation "each player station having its own intelligence" if the applicant is referring to the intelligence of the player at the player station or if the station itself has intelligence using some sort of processing method. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-24, and 26-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Miyamoto et al. (US 6,607,443 B1).

Regarding claims 1 and 22, Miyamoto discloses an automated gaming system comprising a gaming table and an upright video display panel comprising: (a) an upright video display panel, the panel displaying a virtual image of a dealer (*see Fig. 7 and the related description thereof*); (b) a table having an upper surface, the upper surface having a substantially horizontal video display surface that provides a continuous field of video display and at least two different player positions (*see elements [10-12] of Fig. 1 and the related description thereof*); and (c) at least one main game processor and optionally at least one additional game display processor in information communication with the upright video display panel and the video display surface, the main processor or at least one display processor directing video display on both the upright video display panel and the video display surface, and the main game processor providing game rules for the play of at least one casino table card game without the use of physical cards on the table (*see Fig. 3-4 and the related description thereof*). Additionally, Miyamoto discloses a

gaming system that comprises a plurality of player stations, each player station having its own intelligence (*see col. 14: ln 4-49*).

Regarding claim 2, Miyamoto discloses a gaming system wherein each player position has an individual player processing board dedicated to that position (*see Figs. 9, 13 and the related description thereof, col. 2: ln 41-64*).

Regarding claim 3, Miyamoto discloses a gaming system wherein each individual player processing board communicates directly with the main game processor (*see col. 2: ln 41-64*).

Regarding claims 4-5, Miyamoto discloses a gaming system wherein each individual player processing board communicates directly with a single Dealer game engine processor or communicates directly with the display processor (*see col. 4: ln 17-35*).

Regarding claims 7-10, Miyamoto discloses a gaming system wherein the video display surface has changeable light filtering that can screen displayed images from various angles (*ie: video display is capable of being controlled to change alter the pixels and may be viewed from various angles*) (*see display [7] of Fig. 1 and the related description thereof, col. 5: ln 1-54*). Additionally, Miyamoto discloses a system wherein the light filtering can be changed upon command by a processor or by an external command. Furthermore, Miyamoto discloses a gaming system wherein player input is provided at least in part by controls in the video display surface (*see Fig. 13 and the related description thereof*).

Regarding claim 11, Miyamoto discloses a gaming system wherein the controls comprise touch screen controls (*see Fig. 13 and the related description thereof, col. 14: ln 16-49*).

Regarding claim 12, Miyamoto discloses a gaming system wherein the controls comprise a panel embedded into the video display surface (*see Fig. 19(a-b) and the related description thereof*).

Regarding claims 13-15, Miyamoto discloses a gaming system wherein additional player input can be provided from player input provided on a surface below the video display surface and facing a position where players are to be seated (*see Fig. 20 and 23 and the respective related description thereof, element [401(a-c)] of Fig. 24 and the related description thereof*).

Regarding claims 16-19 and 21, Miyamoto discloses a gaming system wherein communication between the main game processor and the individual player processor is performed through a transaction-based protocol (*see col. 15: ln 25-50*). Additionally, Miyamoto discloses a system wherein either the main game processor or the individual player processor can start a transaction (*see CPU block [20] and player terminal [10] of Fig. 4 and the related description thereof*).

Regarding claim 20, Miyamoto discloses a gaming system wherein each player position has an individual player processing board dedicated to that position and communication between the main game processor and the individual player processor is performed through a transaction-based protocol (*ie: the play of the game is based upon certain conditions and input/output responses made by the player or game program*)(*see col. 15: ln 25-50*).

Regarding claim 23, Miyamoto discloses a device wherein each player station and the main game processor are in communication (*see CPU [20] and player terminal [10] of Fig. 4 and the related description thereof*).

Regarding claim 24, Miyamoto discloses a device wherein the communication is event driven (*ie: a processor controls the actions of the game when different inputs are received to advance a game*) (*see col. 15: ln 25-50*).

Regarding claim 26, Miyamoto discloses a gaming system comprising a gaming table and an upright video display panel comprising: (a) an upright video display panel, the panel displaying a virtual image of a dealer (*see Fig. 7 and the related description thereof*); (b) a table having an upper surface, the upper surface having a substantially horizontal video display surface that provides a continuous field of video display and at least two different player positions (*see elements [10-12] of Fig. 1 and the related description thereof*); and (c) at least one main game processor and optionally at least one additional game display processor in information communication with the upright video display panel and the video display surface, the main processor or at least one display processor directing video display on both the upright video display panel and the video display surface, and the main game processor providing game rules for the play of at least one casino table card game without the use of physical cards on the table (*see Fig. 3-4 and the related description thereof*); (d) wherein the intelligent boards are in communication with the main game processor, sending packets of information from player positions as events occur (*see col. 14: ln 4-49*).

Regarding claim 27, Miyamoto discloses a gaming system wherein the communication between the intelligent boards and the main game processor comprises communication of player input (*see CPU [20] and player terminal [10] of Fig. 4 and the related description thereof*).

Regarding claim 28, Miyamoto discloses a gaming system wherein there is a dealer game engine intermediate the intelligent boards and the main game processor (*see CPU [20] and player terminal [10] of Fig. 4 and the related description thereof*).

Regarding claim 29, Miyamoto discloses a gaming system wherein there is a direct line of communication between the intelligent boards and the main game processor for communication of player input (*see CPU [20] and player terminal [10] of Fig. 4 and the related description thereof*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 25 and 30-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al. (US 6,607,443 B1).

Regarding claim 31, Miyamoto teaches a method of playing an automated game having an upright video display panel, the panel displaying a virtual image of a dealer (*see Fig. 7 and the related description thereof*), a table having an upper surface, the upper surface having a substantially horizontal video display surface that provides a continuous field of video display and at least two different player positions, each of the at least two player positions having an

intelligent board (*see elements [10-12] of Fig. 1 and the related description thereof*), and a main game processor, the method comprising sending information from intelligent boards at player positions to the main game processor as events occurs at player positions (*see Fig. 3-4 and the related description thereof*). However, Miyamoto is silent with regard to incorporating sending the information in the form of packets. However, in the network arts it is inherent to the art to establish a protocol in which communication between two processors or devices may occur in a system. One of the most common ways is using a network packet that encapsulates the information in a way that is consistent and accurate and therefore the data will properly reach its destination. Therefore it would have been obvious to one of ordinary skill in the time the invention was made to incorporate a packet system to send information from the main processor to the player station at the time the invention was made.

Regarding claim 32, Miyamoto teaches a method wherein player input initiates the communication between the intelligent boards and main game processor (*see CPU [20] and player terminal [10] of Fig. 4 and the related description thereof*).

Regarding claim 33, Miyamoto teaches a method wherein there is a dealer game engine intermediate the communication path between the intelligent boards and the main game processor (*see CPU [20] and player terminal [10] of Fig. 4 and the related description thereof*).

Regarding claim 34, Miyamoto teaches a method wherein the packets of information are sent directly from the intelligence boards from the intelligence boards to the main game processor for communication of player input (*see CPU [20] and player terminal [10] of Fig. 4 and the related description thereof*).

Regarding claims 35 and 38, Miyamoto teaches a method wherein the communication is event driven (*ie: a processor controls the actions of the game when different inputs are received to advance a game*) (*see col. 15: ln 25-50*).

Regarding claim 36 and 39, Miyamoto teaches a method wherein the communication comprises a cyclic redundancy check (*see CPU [20] and player terminal [10] of Fig. 4 and the related description thereof*). Miyamoto is silent with regard to the communication comprising a cyclic redundancy check. However Miyamoto teaches a system that incorporates communication between a CPU and a player station. It is an inherent problem in the networking field that information can be lost transferring from one point to another. One of the solutions is a cyclic redundancy check that allows the data integrity to be checked and validated. The incorporation of a cyclic redundancy check into a communication is old and well known in the art of communication systems and would therefore be obvious to one of ordinary skill in the art at the time the invention was made to incorporate in order to protect and check the data being transferred within the system.

Regarding claim 37 and 40, Miyamoto teaches a method wherein the communication is transaction based (*ie: the play of the game is based upon certain conditions and input/output responses made by the player or game program*)(*see col. 15: ln 25-50*).

Regarding claims 25 and 30, Miyamoto teaches a device wherein information communicated is included in an information packet (*see Fig. 4 and the related description thereof*). However, at the time the invention was made it is old and well known in the communication arts to formulate information packets in order to transfer information. It would not be possible to transfer data from one device to another without a protocol such as a packet to

transport the data. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of packets while transferring data from one processor to the intelligent boards.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al. as applied to claims above, and further in view of Dote (US 5,221,083 A).

Regarding claim 6, Miyamoto teaches a gaming system wherein the main game processor contains data enabling the play of a table game (*see Fig. 1 and the related description thereof*). However is silent with regard to incorporating at least three different casino table games wherein cards are used in the play of the games. However in an analogous gaming patent, Dote teaches a virtual table game system. Dote teaches that it is old and well known in the gaming arts that electronic gaming systems can incorporate various number of games from video blackjack, video poker, and slots (*see col. 1: ln 10-33*). The teachings of Dote show that Miyamoto's gaming system is capable of incorporating at least three different casino table games. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt Miyamoto to incorporate at least three different casino type games.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yoseloff (US 6,386,973 B1) – Card revelation System.

Wells et al. (US 6,530,842 B1) – Electronic Gaming Machine with Enclosed Seating Unit.

Martinek et al. (US 6,866,581 B2) – Video Gaming Apparatus for Wagering with universal computerized Controller and I/O Interface for Unique Architecture.

Jacobs et al. (US 6,959,927 B1) – Multiple Dealers Blackjack.

Any inquiry concerning this communication or earlier communication from the examiner should be direct to Ryan Hsu whose telephone number is (571)-272-7148. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P Olszewski can be reached at (571)-272-6788.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 1-866-217-9197 (toll-free).

RH

June 23, 2006

SCOTT JONES
PRIMARY EXAMINER